

AURORA

KNOWLEDGE.... LIBERTY.... UTILITY.... REPRESENTATION.... RESPONSIBILITY.

VOL. I.

PHILADELPHIA, WEDNESDAY, JANUARY 7, 1835.

NO. 45.

To the Editors of the *Globe*:

GENTLEMEN: I have just risen from a second perusal of the President's Message. The part about France is in the highest strain speak in an assured tone, when a point of honor or right is at of reasoning—calm, yet firm—full of dignity. In its facts dis- tinct, orderly, perspicuous—in its conclusions elevated and obtruded.

That whole passage will fix the deep attention of Europe. Her statesmen, in dwelling upon it, will feel as much its moral power, as be awakened by its political importance. They will do homage to its forbearing yet lofty spirit, and to its profound maxims of public wisdom. It will make France tremble. That nation is, indeed, too powerful and gallant to know fear, as the President intimates. But she will tremble. She will tremble under the moral rebukes of this great State paper, which bursting, unexpectedly to her, upon Europe, places her so completely in the wrong, that she will read in it her inevitable condemnation. Thus, its lucid narrative of the causes of misunderstanding, the happy manner in which the whole complication of past differences is here brought to a single point, that it may be seen by the world naked, dismembered, and without possibility of mistake—its cogent, unanswerable argument—its admirable reflections, with the deep and resolute purpose so clearly discernible at bottom—these things, like a *vis ab intra*, may goad France into doing us full and speedy justice. Never was the premonitory voice of wisdom raised more appropriately on the eve of a national dispute. If France will listen to it, what a triumph will it be; how useful, how sublime, the fact and the lesson! Here is a citizen of the Republic at one period leading with his sword her armies to victory over the most renowned legions of Britain; and then, as the elective head of his country, conquering the great and illustrious rival of Britain, by the moral power of reason and mind! But if this is not to be—if the false pride, or the sleeping justice of France should still refuse us our due, then will she “be exposed to the just censure of civilized nations, and to the re- tribute judgments of Heaven.” This is the solemn language of the Message; and never were human words written in a clearer foundation of truth and justice.

There are occasions when national pride especially rises in our bosoms. The appearance of this Message emphatically marks one of them. On reading it, who has not cause to be proud of his country, and the brave chief at its head? His renown as a warrior all have known, all admitted. He poured upon the invaders of his country an unceasing tempest of fire, which his own all-watchful eye, and his own stout heart, every where directed, encouraged, and made effectual. And now if, in the maxims and whole conduct of statesmanship—if in the highest dictates of civil wisdom applicable to the intercourse and well-being of nations, their character, their rights, their true interests, and their true glory, any thing has ever come from any of our former Presidents that transcends what we have here, I should like to be told when the record of it is to be found. Metaphysicians sometimes teach that the judgment acts necessarily, like the will. Let partisan hostility pause on reading this Message. Let the positions which the document takes, let its sentiments, its recommendation, be candidly yet severely weighed; then let the simple question be asked, where, as a whole, will it place General Jackson in history, and where, therefore, ought it to place him now? I am bold to say, that no document has ever issued from our country which will do more to elevate it. It will be read and approved every where. Its purpose will be quickly known on the banks of the Neva and Danube, as on those of the Seine. It will go finally, wherever commerce can penetrate, or letters reach. It will remain as a guide to other times among ourelves, and may be a useful standard to other nations, by its commanding union of inflexible energy with that calm deliberation and conciliatory temper so necessary in the solemn duty of preventing conflicts between States, or meeting them properly if they are to come. There is a calm and settled consciousness of power, as well as right resting on the whole exposition, which will not escape foreign nations, whilst it naturally raises the document in our own eyes; for a proud and spirited people, at the same time that

they will always abhor the least appearance of gasconade, like

that the organ of their intercourse with foreign nations, should speak in an assured tone, when a point of honor or right is at

send. But I cannot conclude even this little, without expressing the solid satisfaction I derive from what it says of the Bank. By the triumphant issue of the Elections, and most especially those of New York and Pennsylvania, this institution is happily down forever in our own country; and what the President has so judiciously and unequivocally placed on perpetual record of it in this Message, will fix forever its fate abroad. Generally speaking, our mere home affairs interest not at all the great nations of the world at a distance. It is seldom, very seldom, that they read, hear, or know, any thing whatever, about them. But only let a question arise touching one of themselves,—above all, let only the most remote aspect of war frown through it, and then see how quickly and universally they will all stand at gaze! Before the session of Congress is well over, this document from the American Republic, whose naval power is the only one after that of England, that any well-informed European thinks or cares much about, will, as already hinted, be in the hands of every statesman in Europe, and a subject of somewhat anxious political speculations in all its cabinets. At the same time will come under their eyes the sentence of condemnation upon the Bank—a sentence demanded by its misdeeds, that have so truly made it a *scourge* in the land. These misdeeds are as clearly set down, in the Message, as the causes of our misunderstanding with France—and the authenticity intrinsically due when the Executive head of a great nation speaks, will unavoidably attach to each. By the recapitulation of the former, it will be seen with astonishment, and nothing is more true than that it will have been seen, *for the first time*, by a large part of Europe, so slowly does the knowledge of our home matters creep along in that atmosphere that a monied corporation in the heart of the Republic, following up one outrageous usurpation by another, at last seized for its own ends, the public revenue, in violation of fundamental law here, and the first dictates of public and social order every where. The same circumspect judgment which has so wisely yet firmly managed our dispute with France, will rightly be inferred to have been in operation as regards the offending Bank in the Republic, though, indeed, the dignity of the two cases is so immensely asunder, that it were almost profanation to give them this juxtaposition even for an instant. Hence, the overthrow of the lawless corporation will be hailed with approbation by that portion of civilized mankind, whose knowledge of its transgressions will now be first acquired through this high document, and whose recollections of its just doom will rest on the same testimony when all other is forgotten, or never been known.

JOHN DICKINSON.

Philadelphia County, December 5, 1834.

A COLUMBIAN PRESS.

The Editor having no occasion for more than one press, proposes to sell an Iron Cast Press of Clymer's construction, and will sell it for cost with new tympans and rolling apparatus complete—not included in the first cost. The Press is excellent.

MEMORANDUMS.

PHILADELPHIA,
ELIZABETH ST.—NEAR SOUTH SIXTH.

This paper is published in the quarto form—

Because it is more commodious for perusal than the folio:

Because it is better adapted for preservation, and reference; and

Because it can be more easily enlarged without affecting its convenience, by the mere lengthening of the columns, or by the addition of a quarter or half sheet, or more, if eligible.

The publication in detached numbers, is incident to the progress of the subscription; which, though it proceeds slow, goes on certain.

NUMBERS will continue to be issued, at convenient times, till the subscription shall be adequate to the expenditure, when the paper will issue daily, without any farther notice; and the detached numbers will be considered each as a day, in the year's charge.

TERMS OF SUBSCRIPTION—Eight Dollars per annum; \$5, to be paid in advance. The paper to be issued daily, when the subscription covers the expense.



PUBLISHED BY WILLIAM DUANE.

PHILADELPHIA, JAN. 7, 1835.

NISI PRIUS.—The Supreme Court for the Eastern District, have countermanded the *Order for Nisi Prius*, made on the 30th December last, and now Order, that the Trials by SPECIAL JURY, shall commence on the 16th February, 1835, and continue three weeks; and that the Trials by GENERAL JURY, shall commence on the 9th day of March next, and continue one week.

Gentlemen of the Bar having cases in the Supreme Court, and desirous of placing them on the issue list, will do so by the 16th inst, at which time the list will be completed, and the Jury list issue.

WHO ARE THEY? WHAT DO THEY WANT?

An agitation has been just *got up* in our city, and among professing Democrats too—the whole is a sort of masquerade business—disreputable to the Republic, and unjust, as it is hollow in pretension, and false in policy.

What is the appearance on the surface of this political perfidy? What is the object behind the curtain.

The professed object is *short terms* of election, of the Chief Magistrate of the State.

Why has this *short term* been started now? How comes it, that when the *Coffin Hand-bill Poster*, came forth out of the county, into the city, to get up a sweeping plan of Reform, this *short term* was not brought up?

Men under the influence of angry passions—such as flow out of ambition—are more ridiculous than schoolboys in their conduct—The man of sober mind and experience, views them with sorrow and astonishment—wasting whole years in devising stratagems of mischief, and reaping a sad harvest of not only disappointment to themselves, but actually benefitting those whom they would destroy.

How comes it that at that meeting, hostility to the Governor was denied—and why was not *short terms* then canted about?

The seizure upon the question of a Reform of the Constitution, was in the main, a *cunning trick*—it was using up a question that has the great majority of the people in favor of it; but it soon became evident the *movement* was not for a *short term*—but for *places*! Men who have solicited office without success, may be excused for their discontent, fully persuaded as they are, that none but themselves are their own parallel! and what must a Governor be “who cannot see the Spanish fleet when it is not in sight?”

What kind of a Governor can be he, who cannot appoint *twenty*, *aye*, or *fifty* applicants to one office?

Can it be surprising, that our little *cits* can fail to imitate the example of the *grandy-grand*, or greatest of the grand aspirants to the Presidential chair? Do not the grave Senators “snarl and play the dog?” and can it surprise that our *city pups* should be such objects of inevitable contempt, as they really incur, considering the examples they imitate?

But to the *short term*! one of those small logicians, accustomed to bad causes, has been smearing the Pennsylvanian with various unsuccessful attempts “to make the worse appear the better cause.”

We had intended to take no other notice of those doings, after our article of the 27th ult., (No. 42,) but it has been stated to us that those gentlemen who make use of *straw in their shoes*, have said that the *Aurora* can say no more on the subject, and that what was said was not the Editor’s own. “It is said blind men are not good judges of colors,” men with unjust purposes are not competent to judge of those who are unlike them—because they *judge of others by themselves*.

What then is the merit of this question as it stands now

upon the tapis, and managed as it is by the *young Blackstones*.

Like the question of *sweeping Reform*, for which *short terms* is now the ball at the foot of the political masqueraders, it is a good thing perverted to bad purposes. The constitution fixes that the Governor is eligible for three terms of three years.

Well, say the *non entities*, for they are not open and above board men—well, say they, three terms of three years, is one term too much.

Why and wherefore?

Because, said *Winefred Jenkins*—because, says she—it is!

Well said *Winefred!* Well said *anti-trinitarism!*

There are two modes however, of weighing this weighty affair; as to the terms fixed—and as to the present project of coming round at a *back door*, and firing into the Executive chair, instead of going up to it with an “I’ll try.” This is not the way of your snakes in the grass.

How is the question of too much made out?

Have bad executive officers—weak executive officers—or wavering executive officers, maintained the station of Governor the whole three terms?

No! the *brief* of the agitators show the facts which ought to have shut their *gull traps* for ever. We have had but two Governors, since the foundation of the Government, who served the three terms.

We shall not stir up the questions of contention which arose, and which changed some executive officers after one term, and others at two. It is sufficient that the people by their suffrages could do it—and as the *Plenipo* says—they could do it—and they did!

Well! the people are now called upon, and by whom? nobody knows, for the movers are *skulkers*—the people are called upon to remove Governor Wolf now.

Why and wherefore? Why, say those *pleaders for place*—because three terms are too long.

Too long! aye those people have not patience, after six years of disappointed labor, waste of paper, flattery, and supplication, is already too long; three years more—would be as bad as three centuries.

Has Governor Wolf done any thing to forfeit public confidence? No.

Has he neglected his duties? No.

Has the State suffered by any acts of his? No.

Is he repulsive in demeanor? No.

Wavering in his policy? No.

Is he insincere or a speculator? No.

What then? Why the three terms are too long.

But mark the artifice of those students of the quibbles of the law. General *Jackson* is for a short period! Aye, here you see the *cloven foot*, yet it is solemnly true that some of those persons are no better satisfied (in the way of *promotion*), with the President than with the Governor!

It might be enough to meet this argument, upon its naked merits, and say—the cases are no more alike than three is to four, or than eight to nine. This would be a good *common law* answer—however impertinent it may be to the real case.

That Gen. *Jackson* recommended short terms is not questioned. Well, Thomas Jefferson was once of the same opinion; but it is also certain that he did not continue to hold that opinion. Very near the close of his second period, he said to this effect—it is not pretended to give his words:—“It has become very questionable to me now, though contrary to my opinion formerly, whether, after all, two periods of four years, are not the best; what is indispensable, however, is, that the Constitution should limit the re-election to the second period. It is very plain, after the experience I have had, that the four first years of every President will be a time of perturbation, and this fact alone warrants the eligibility for a second term. It is very surprising how much was done, from 1800 to 1804; but the trial was not a desirable one; and if the

term had ended 1804 or 1806—no man, however qualified and faithful, could have retired with his reputation whole, or his mind at peace. The people may correct an error in an election at the end of the first term, as we have seen; but my opinion now is, that the limitation to the close of a second term of four years, should be established by an amendment.”

Well, now here is something like reasoning upon experience; and we may ask, whether the experience of Gen. Jackson does not exactly coincide with that of Thomas Jefferson?

Let any man look back at the brutal turbulence and violence which have characterized the opposition to Gen. Jackson, in his first four years. It is, to be sure, only the same *unsavoury dish of Federalism*, served up by the old cooks, and an accession of deserters.

What would have become of all those Treaties which General Jackson has negotiated, if his tenure had been limited to four years? We should have been in the trammels of the Bank—bought and sold by the public’s own money—the deposits would not have been removed—and the country would have been, like Philadelphia at the last election—an *article bought and sold*.

Now let the young Blackstones set up a hue and cry—and say, here is the *Aurora* dares to differ from General Jackson. Well, the *Aurora* differed from Thomas Jefferson, and yet was remembered, in his latest days, by him with commendation.

The *Aurora* thinks Gen. Jackson made two mistakes: 1. In ascribing to the Federalists virtues which they have proved they had not. 2. On the limitation of the term—for the reasons above given.

Now, having shown some reasons for some opinions on the *Federal* side of the Constitution; though we are not much *affrighted* by young Blackstone’s *DARING denunciation*, we have, without the fear of all the Blackstones before our eyes, or being seduced by the devil, we *dare* to maintain that the terms as they are—are better than if they were shorter. The writer need not put his name to this the *daring writer* is dared to put his name to his daring!!

The reference to “*Old William Findley and John Smiley*,” is out of time and cogency.

Let the good which men do live after them; Be the evil buried with their bones.

Findley and *Smiley* were good men and true, in the very worst times. They did much good; and if, in their decline, they gave way to a seducer, who imposed on men of more mind, it is more to be deplored than offered in reproach. So much for *authority*. Mr. *Dare* must go to the books, and make his case up anew.

The *reasoning* on the formation of the present Constitution of Pennsylvania was *suppressed*, with the exception of two or three speeches. We have the original short-hand notes; but they are not now worth decyphering.

The term of three years period for an election, was, in fact, founded upon a very remote analogy, that of the English triennial Parliaments. It was said, that the Executive should be in office, not so long as the Senate, and more than the House of Representatives, upon some fanciful idea of a continuity of business with certainty. There was little dispute on that point.

The three terms of re-election was disputed. But why did *William Findley*, and *John Smiley*, oppose it? Because they considered it, and justly, too, as placing the power and influence of the State in *Federal hands*,—in the hands of men openly disavowing *Democracy*—and who had blindly calculated upon holding in their hands this Commonwealth for ever, by placing all appointments in the Executive. The Federalists, then, like the Federalists now, considered men, as *Sir Robert Walpole* did, that “every man has his price.” *John Smiley*, was one of those who were taken violently, and against their will, out of their lodgings, by a party of Federalists, and carried to *Independence Hall*, to make a quorum by force, which

was to ratify a Constitution which they had opposed through every stage.

The argument that carried it was a sort of compromise, upheld by those doctrines.

That there being an appeal to the people every three years, it would be the fault of the people themselves, when an Executive did not act faithfully, if he were elected again.

This truth experience has proved; though it was the rock upon which Federalism split, and which deprived them of that power which they had calculated to maintain for ever. The people were not to be bought up, *à la Walpole*, though the Federalists, like the *advocates of short terms*, believed every one like themselves.

Again: that limiting the term to two or three years each, without re-eligibility for a third, would afford no good, more than could be had if the Executive proved faithful, and was eligible for a third; but it would open the temptation to a constant scramble for office, a perversion of legislation to private purposes, and expose the State to these evils; and though the young Blackstones have swarmed in a noisome superabundance since, there was enough of them then to excite apprehension of the vices in which they are educated. That such would be the inevitable effect was then foreseen—it is now flagrant experience—for, though nothing has been, or can be said, against Gov. Wolf, the very movements now under notice proves, that a third term is salutary; since we see a project of limitation serves merely as an encouragement to agitation, necessarily arising out of the concentration of all appointments in the Executive. The limitation to two years, therefore, failed.

Then came the term of three elections. To this it was said—and truly said—the Party who have forced the Constitution upon the Commonwealth, to the rejection of that of Dr. Franklin, expect, by placing all appointments in the Executive, to hold the State in trammels by corruption for ever; and indeed such was, in fact, their calculation; though no blockheads ever over-shot the mark more egregiously, not even the foolish opposers of Mr. Van Buren's embassy. The Opposition then said, three years, and two terms, are bad enough—but three terms are *too bad*.

To this an intermezzo voice—it was honest Robert Whitehill—said: “I am for the three terms, because before two terms expire, the Federalists will cut their own throats, swimming against the stream of public opinion;” and the prediction was fulfilled!

Then it was by one party of the Democracy advocated on this view, and another—that:

As every thing depends upon the people—no one will give his suffrage a second time to one who has not acted well in the first.

So in the second term, if the incumbent do not act well, he will be ousted by the popular vote.

Both these events have been verified by experience.

A third reason was, that the three terms would be a high incentive to right conduct, and would itself close the career of Executive aspiration.

The case of the lawyer, who, by a bad argument, had his client hanged, has its parallel in the extravagance to which Mr. Dare resorts. Hear him!

“A Despotism is a simple machine, where lives and fortunes depend upon the will of one man; who may be a knave or a tyrant; a philosopher, or a fool, as chance may direct.”

This writer is but the echo of the Federalists. Very probably some new *law convert*—to plan limiting. Within ten years, the very same logic has been employed by the *Bank & Co.* against General Jackson. It is the echo of the Nullifiers. Governor Wolf may be proud of being abused in the same phraseology.

It is among the curious phenomena in politics, which have been so various and preposterous,—that in a public paper, professing Democracy, it should be insolently de-

clared: That no freeman in the community DARE utter an opinion on a given subject; although what is thus proscribed from utterance, is a principle of the Constitution from its foundation, and must so remain till the Constitution shall be altered.

It is of very little importance who this Mr. *Dare-devil* is. He may well dare, with his *head in a sack*, and his *tail* where the head of the *showman's horse* stood.

A shadow says—*Who Dare?*

Who dared Kildare?
Who dared Kildare to kill?
He killed Kildare, whom
No man saw to kill.

THE PITH OF ENGLISH PAPERS.

We can give only the *pith*—the muscle, and the marrow would be too much.

The change of Ministry had produced an extraordinary excitement throughout the British Islands.

There are three great classes of opinions in England:

THE TORIES.	The Court. The Peers. The Church. The Army. A majority of the land owners, and other adherents.
THE WHIGS.	A part of the hereditary Aristocracy. A minority of the land holders. The principal owners of Irish confiscated estates in England.
THE RADICALS.	By this term, is meant those who wish to go to the root of abuses, and eradicate them. A large portion of the land-holders. About ten Peers. The Yeomanry, seven-tenths. And the great Manufacturing Towns.

The *Tories* are for high-handed policy—force—the aggrandizement of the Church—the management of Parliament by bribes—opposed to reform, and all liberal measures.

The *Whigs* are willing to go in reform as far as to make the existing system work as easy as practicable, without overturning it. They are for a constitutional king—a reformed Parliament—a partially reformed Church—and removing the disabilities which oppress the Calvinists, Quakers, and all other Dissenters from the Established Church—and doing so much for the mitigation of Irish oppression as shall produce the quiet and colonial subjection of Ireland—for using corruption and flattery, rather than the conflagration, the gallows, or the bayonet.

The *Radicals* are very much mixed. As far as *England* goes, they are for rooting out every grievance. Some of them look to America as the *standard of good government*—but there are many of the Radicals who do not wish to see reform in Scotland to any great extent—and in Ireland consider the Union as a nursery to be kept up for sailors and soldiers. Some go to the extreme of revolution; but too few to be successful.

These being the keys of English news, let us see what the papers say. The London *True Sun*, a Radical journal, affords some scraps.

In May, 1832, the country stood up as one man, decreed the dismissal of the Duke of Wellington, and the elevation of Lord Grey. This triumph of the Whigs was fatal to them—their intoxication was complete—they never recovered their senses—and mistook themselves as the objects of favor and not the principles of Reform; they imagined that the convulsion of the country was for their promotion—and they *stopt*, in the middle of their career, to compromise what they had promised to eradicate.

Now they must see their mistake. The effect of the Duke's appointment has been astounding—all round—by the Tories it seemed as if the idea of the dread captain, riding into office, was associated with the image of death

riding on the white horse, and that all would humble in terror and dismay before him.

Others began to scan the matter this way—measuring the future by the past—It has been asked:

Can the China trade be more open?

Can the negroes be made more free?

But it has not been asked:

Can the poor laws be more in need of amendment?

Can the pension list be more reduced?

The Duke may put Ireland in chains; but Ireland is used to that.

Can he do more than show Ireland no mercy—no justice—no! she is used to that too!

Can he transport more criminals?

Can he hang more?

Can he remove taxes, or pay debts?

A writer in the Dispatch, a Whig paper, under the signature of *BRUTUS*, thus concludes an essay:

I would warn a fortunate foreigner, whose nakedness this good-natured country has clothed in gold and fine linen, to remember, that there is no station so lofty, but that a person may be hurled from it by imprudence. Irene, of Constantinople, supported the miserable remnant of a life of the most impious grandeur by the labors of her spinning wheel. Henrietta, of England, died in beggary, and the Imperial Consort of Louis XVI. perished on a scaffold.

The *Morning Chronicle*—the Whig paper for half a century—says, “The ministry has been dismissed because it had resolved to propose measures of Church reform in Ireland and England.

This is, in fact, the true cause of the change; the priesthood has operated upon the Queen, who has operated upon her husband; and should measures proceed in the resistance to reform, the priesthood will have to pay the cost.

The *Dumfries Courier*, of Scotland, says, “The Duke of Wellington is naturally shrewd, as well as bold—and may have been planning the present crisis, with all his zeal and tact; but if he supposes he can permanently abuse in Church and State—keep the corporations on their present footing—and reserve rich bishoprics, prebendaries, and deanries, for the younger sons of nobility, he will find himself much mistaken, as were the flatterers of *Canute*, in regard to the ocean—“ which rolled not back when he gave command.”

The arrival of Sir R. Peel, on the 8th of December, was expected, as he was at Paris on the 6th of August. Advices after the 15th December, will give us English and French news of interest.

Mr. O'Connel has succeeded in accomplishing a purpose often announced—a union of the Protestant with the Catholic in politics. Great meetings have been held, and *anti-Tory* clubs are to be established in every parish in Ireland. The debates at their meetings were unusually ardent and eloquent.

The Irish journals always abundant in wit, intimate a change in the Chancellorship of Ireland; that Lord Plunkett retires, and is to be succeeded, they say, by Counsellor *Botherall*—meaning Wetherall, a high Tory, recorder of Bristol.

The circumstances of affairs in France, as to our treaty, is in all probability adjusted by this time—by an appropriation to fulfil its obligations.

What will the *Nullifiers* do? All the pains taken to study the speeches of *Bignon & Co.* in the French Chamber, is lost; so much *paper* and *taper* wasted. The “stern alarums” alarm no more.

On Thursday, two great events, enough for two men's immortality, will be commemorated—the Battle of Orleans, and the extinction of the National Debt.

The *Swig* papers make a left hand affair of apologies or their friends—the Richmond Compiler, very gravely, “one would think *almost* that he was in earnest”—joins in chorus with the Washington Telegraph, in reproving the Editor of the Enquirer for disapproving Mr. Tyler’s conduct in the Senate, on the Bank question, and others; and *plainly* says, “the time was when Virginia would not have looked with complacency upon the abuse of one of her son’s. Now what does this mean? Either Mr. Tyler is infallible, so immaculate, or so sanctified, that no man must suspect, much less demonstrate his *fallibility*, or that being one of Virginia’s sons it is no matter what he does, right or wrong—it is abuse to notice it, but with applause. Why this is going into feudal times. The dereliction of men of fair fame from the paths in which honor and fame could be acquired, is always to be deplored—but not to be flattered or palliated. Virginia has had her share of great men, but we never heard that their *vices* were to be canonized, or the whole stream of moral and political principles to be dammed up against its natural current; the last forty years has shown as few faithless Virginians, as any other State—but it has its *yellow list* as well as other States; and some signal cases too: but it seems, however repugnant their actions at one time—in the course of three or four years, may be with another, to notice their *errors is abuse*.

This is excellent *Swig* doctrine; it is all “o’ one side;” that is, *lopsided*. It would have been better to have left Mr. Tyler un-apologized for, since it would require nothing more than to place his own words, at different times, in opposite columns, to show how much he has *abused himself!*

We did not receive the *Globe* of Monday, till yesterday, too late to publish the letter of the *manly man on all occasions*.

Col. T. H. Benton. We have been under the impression that such would be his course, and have so said to several friends; we shall however publish the letter in our next. He declines all *personal* interest in the election for President or Vice President, and goes the whole in manifesting the wisdom, propriety, policy, and justice of electing Mr. *Van Buren* to succeed our present Chief Magistrate.

The Democracy will now unite on Col. *R. M. Johnson*, for the Vice Presidency.

LETTER

From the Secretary of the Treasury to the President of the United States Bank.

TREASURY DEPARTMENT. }
December 24th, 1834. }

Sir: This Department would duly acknowledge the receipt of your voluminous remarks of the 26th ult. concerning the contents of a late Treasury Circular.

As that document related to a subject in which you observe that the Bank originally felt no “interest,” and which is now to it “an object of equal indifference”—any obligations conferred by your communication are of course increased by your labor in giving advice so very gratuitous, and by your kindness in assuring me it is done “without meaning,” “in the remotest degree, to question the expediency of the measure” which the Department deemed it proper to adopt. You add, however, that the statements in the circular “want that accuracy in minute details of facts so exceedingly desirable in public documents,” and it is your “purpose to point out the particular parts which seem to require correction.”

These assertions, and the animadversions which follow, in the execution of your “purpose,” having come from a subordinate agent of the Treasury, under circumstances somewhat novel, and in a style peculiar and unusual, would probably never have received any reply from this Department, had not the Bank, with singular civility, sent them speedily to the newspapers, and were it not the community might thus be persuaded to infer, from silence here, an acquiescence in their correctness. But though unwillingly induced by this course, to submit some answer to the accusations of the Bank, the Department has deemed it proper to forbear, as far as practicable, from all recrimination: and, as by the nature of the circular, it presented the reasons for the mea-

sure in a very condensed form, to avail itself of this opportunity, and to confine its attention chiefly, to make some further explanations, in elucidation of those reasons, against the Bank, at such length, and with such zeal, notwithstanding its professed “indifference” to the measure itself.”

You commence seven specific heads of complaint, by censuring the remark in the circular, that those drafts were originally received by the Department, “under certain assurances from the Bank of the United States.”—With the usual courtesy exhibited throughout most of our criticisms, you subjoin, concerning this particular remark, “it is difficult to discover any thing more groundless,” and then proceed to assert that “the receipt of these drafts by the Treasury was an arrangement exclusively its own,” and that the Bank, before such receipt of them was permitted, never made, in regard to them, “assurances of any kind whatsoever.” The original correspondence on the subject referred to, has mostly been consumed in the burning of the Treasury building; but by your own quotations, it appears that the Secretary did not permit these checks to be received in payment of the public dues, though the letter of the Bank in August, 1827, gave certain information concerning them, until another of your letters on the 10th of January, 1828, communicated much fuller information as to their true character, and the object in issuing them, by stating, that “as a material part of the design in issuing them was to facilitate the collection of the public revenue, they are placed on the same footing of negotiability as the notes signed by the President and Cashier of the Bank, and if received on account of Government, they effectually bind the Bank, and will be paid in the same manner as notes of similar denominations, signed by the President and Cashier, now are or hereafter may be paid.”

It appears, that in consequence of doubts, intimated by the Secretary of the Treasury, whether these drafts ought to be received, and of inquiries to you concerning them, he obtained, in reply, the above assurances. Then, under date of January 21, 1828, and not till then, he remarked, in answer, “as you state that the amount of any of the drafts to which it refers which may be received on account of the United States, will be paid in the same manner as notes signed by the President and Cashier of the Bank, I have felt no hesitation in directing such drafts to be taken in payment to the United States.” If these quotations and facts do not show that the permission was given by this department, “under certain assurance” from the Bank, it is frankly admitted, that this part of the circular may “seem to require correction.” But with due deference to your opinion, they are supposed to contain—1st. The assurance, by the Bank, that “a material part of the design in issuing them was to facilitate the collection of the public revenue.”—2d. The assurance “that they are placed on the same footing of negotiability as the notes signed by the President and Cashier of the Bank,” or, in other words, they are so constructed as to pass by delivery—3d. The Assurance that “if received on account of the government, they effectually bind the Bank, and will be paid in the same manner as notes of similar denominations signed by the President and Cashier now are, or hereafter may be paid.” This was undoubtedly then considered a very important “assurance.” As drafts, these instruments were payable only at the principal or mother Bank, on which they were drawn; but it here assures the Secretary, that they shall be paid at the branches where issued, and the five dollar drafts at all the branches promiscuously, that being the manner in which “the notes of similar denominations signed by the President and Cashier” were paid.

In fine, if these were not “ASSURANCES,” you would confer an additional favor on this Department—and perhaps make the English language more explicit—by specifying their true definition, as they must otherwise appear in connection with the well known state of things at that period, to demonstrate, it is feared and regretted, the great “want of accuracy” in your assertion that the Bank did not “ever make assurances of any kind whatsoever to the Treasury.” Under this head of complaint by the Bank, your narrative contains singular evidence of the superintending care early bestowed by it over the affairs of the Department. You now declare that “the Bank never consulted the Secretary of the Treasury” in relation to the issue of these branch drafts, nor did not ask his sanction, “nor approval, nor assistance”—and yet, formerly you said, “a material part of the design in issuing them was to facilitate the collection of the public revenue.” But although the Bank, without consulting him, and contrary to the avowed policy of Congress, undertook this gratuitous supervision over “the collection of the revenue,” it did, at last, condescend to allow the Secretary the privilege of deciding whether these drafts should be received in public dues or not. It seems by your own statement that after the Bank had, without “his sanction or approval,” provided means “to facilitate the collection of the public revenue,” he was kindly informed, probable, lest he might entertain a doubt whether any discretion had been left to him, that “whether under these circumstances it is expedient to receive them “is a question for the exclusive consideration of the

“Department,” and you now gravely add, what it is to be lamented, for the sake of consistency and of illustration in respect to your present “accuracy,” had not been inserted in the same letter at the close of the above remark, that still neither this “sanction nor approval, nor assistance” was asked, and that his receipt or refusal of the drafts was to the Bank a matter of perfect “indifference.”

Allow me, in connexion with the last quotation from the letter of the 10th of January, 1828, to inquire whether your recent impression that originally “the Bank felt no interest” in the receipt of these drafts by the Treasury will not, even in your own opinion, “seem to require correction,” when it appears, in looking to the whole letter as published by the committee of Congress in 1832, that the President of the Bank stated to this Department that he was instructed by the Board of Directors to give “the most precise and detailed information” on that subject, and that you accordingly “hastened to execute that duty.” But though you then stated, while performing the “duty” that “a material part of the design in issuing the drafts was to facilitate the collection of the public revenue,” which you well knew could not be so facilitated, and which design, avowedly so patriotic in issuing them, would be wholly defeated, if this Department did not enter into an arrangement to receive them, yet the strenuous, however unpretending effort, now appears to be, to make this Department believe that the Bank then felt no “interest” whatever in that arrangement. You must also have been aware that the other part of the design, to have them circulated immediately as a “currency,” notwithstanding Congress had just refused to grant permission to the Bank to issue any thing whatever as a currency except notes, signed by the President and Cashier of the mother bank, would probably be retarded, if not defeated, unless enough was stated, under your “precise” instructions from the Directors, to induce this Department to grant the permission to receive them for the public dues, and about which it was then hesitating and corresponding with the Bank.

After all this, you will readily perceive, that it is a matter of some surprise now to learn, that the Bank then felt no “interest” in that decision, and that “the receipt of those drafts” by the Government, was to the Bank both now and then “an object of equal indifference”—an indifference, perhaps more influenced, than you are aware, by the change of attitude in the Bank from an applicant for favor to that of a critic on “public documents”—and by other circumstances, which may insensibly have led it to lower its opinion on the importance of an indulgence since lost, and to underrate what can no longer be enjoyed. Permit me to inquire further whether the assertion, in your last letter, as to the Treasury, that this was “an arrangement exclusively its own,” does not seem to be exposed to some “scepticism” after it is seen that the Directors and President of the Bank had so much concern and agency in that arrangement—had such large designs connected with its accomplishment, and when the Bank had objects and interest in view in issuing these drafts which, for years, it had been in vain attempting to effect in another way, by the consent of Congress, and all of which it could not then effect in the mode it resorted to, but by the “sanction” of this Department. Yet now, severely reproaching the Treasury for entertaining a different impression, the Bank requests the public to believe the very extraordinary assertion, that it took no part whatever in “the arrangement” to have those drafts received for the public revenue—that, in fine, it felt no “interest” in the measure, and asked of the Secretary neither “his sanction, nor approval, nor assistance.”

In a review of these considerations, connected with your first topic of censure, it is trusted the public will find sufficient grounds to excuse any supposed errors of the Treasury, if it do not find some “particular parts” of the “statements” of the Bank which “seem to require correction.” Having, in a tone entitled to all the commendation from this Department, which has been bestowed, and with all the “accuracy” which a full examination has shown it to possess, asserted, that “it is difficult to imagine any thing more groundless” than the first position quoted from the circular, you proceed, and with accustomed civility, declare the second one to be “liable to still more objection.”—The second one was, that “Congress have refused, though earnestly and repeatedly requested, to permit the issuing even of notes of the Bank of the smaller denominations so signed.” Concerning this you assert, that “Congress never on any occasion refused the permission,” but “on the contrary, bills granting that permission have three times passed the Senate of the United States,” and select committees of the House of Representatives have on two several occasions reported favorable to the object, nor has there ever been any negative action of Congress on the subject.” You then go into a narrative of fruitless petitions to Congress from 1818 to 1826, inclusive, asking an amendment of the charter, in relation to the character, or signature of its notes. Notwithstanding the assumed “accuracy” of the Bank in matters of fact, it is apprehended, that in attempting to correct the Treasury on this point, you have, inadvertently no doubt, fallen into

some material errors yourself. The branch drafts were signed by the Presidents and Cashiers of the offices, and the assertion of the circular was that Congress had refused to permit the issue "even of notes so signed."

In your kind attempt to show that this assertion is "worse" than "groundless," you say, that "bills granting permission have three times passed the Senate of the United States," and that "select committees of the House of Representatives have on two several occasions reported favorably to the object." You then quote from the "bills granting permission," but by a strange oversight, you have quoted from bills permitting a thing altogether different. The Senate bill of 9th April, 1818, provided, that notes might be issued, signed, not by the Presidents and Cashiers of the branches, but by an "assistant President and an assistant Cashier" at the principal Bank. The bill of 1820 authorised the appointment at the principal Bank, of "an Agent and Register" for the same purpose. The bill of 1822 was similar in its terms. You must, therefore, have selected wrong bills when you took these to prove the inaccuracy of the circular, in saying that Congress "refused" to authorize notes to be issued, signed like these drafts, which is by the Presidents and Cashiers of the branches. You are equally unfortunate in your allusions to the proceedings of the other House. After the bill was reported in 1818, which fell dead from the hands of the committee most of the subsequent efforts appear to have been, to create new officers in the principal Bank to perform that service. Certain it is, that in 1820, it only asked, that authority be given to the board "from time to time to appoint one or more persons to sign notes of the smaller denominations at the parent Bank, under the superintendence and direction of the board and its principal officers."

But had all the future applications of the Bank been of precisely the same character with the original one in 1818, it is conceived that, according to your own mode of reasoning, there is very little, if any, error in saying they were "refused"—since during nine years importunity, not one House of Congress passed a single bill, nor one committee made a single report in favor of allowing notes to be issued so signed, (as mentioned in the Circular,) and when, according to your own statement to the Board of Directors, the President of the Bank, with all his talents and means of influence, was totally unable at the session of 1826-7, "to obtain a favorable report!" from the Committee of Ways and Means, on a proposition far less mischievous. In these cases, if Congress did not refuse, as stated by this Department it certainly did that which the Bank and all its friends thought to be equivalent—and therefore abandoned in despair the idea of accomplishing in any mode, by the permission of Congress, their long sought wishes and designs on this subject. Indeed, on one occasion, in 1831, you have yourself spoken of these applications as made "without success;" on another, in 1828, the stockholders, at their triennial meeting, of which Robert Ralston, Esq. was chairman, on a point similarly situated as to Congress, reported that "the request was declined;" and the other distinguished gentleman whom you cite, says in your own quotation, "the omission to grant the solicited power had the effect of denial." Now, whether the difference between an application "refused," and one made "without success," or "one declined," or one, an omission to grant which "had the effect of denial," is worthy of the trouble you have taken, and the valuable time you have spent in compiling "many pages" for the "correction" of this Department, is a subject for your own exclusive consideration. When lexicographers define "refuse" to mean, "not to comply," or "to decline to do or grant what is solicited," the difference, if difference there be, between the statement in the Circular and the real facts, or the very language of your own committee, must be one, to point out the importance of which should undoubtedly receive all the acknowledgements it is thought by others to deserve.

In your other view, that the measure was not "refused" by Congress, because it passed the Senate, or was approved by a committee, although the impressions of the Bank should be of that character, and, therefore, the circular, in this particular, be deemed objectionable, yet this Department would respectfully state, that it does not consider the Senate, separately, as "Congress;" nor does it attach that character or authority to the House of Representatives alone, and still less to any one of its committees; and it looks upon every omission to grant, by the concurrence of both Houses, a long, repeated, and urgent application, as a refusal. It may be considered a merit on the part of the Bank, that though filling only an agency under one of the Departments, it at last undertook to relieve the highest constituted authorities of the Union, the Representatives of the People and the States, from the responsibility of watching over the public interests on this subject.—After asking of Congress, through a period of many years, to grant an authority infinitely less extensive and dangerous, and which was refused, or, in Bank language, "was declined, as it had previously been," it proceeded solely upon the opinions of "certain distinguished" counsellors to do,

in substance, that which had appeared much more abhorrent to Congress, and which was much more hazardous to the community. It inundated the country with the currency, signed by the President and Cashiers of its several Branches, in the form and under the name of Drafts. That this assumption of high power, by an inferior instrument, whether of a Department, or Congress; but in defiance of the latter—that this new and usurped care of regulating the collection of the public revenue, and the condition of the currency, without the "sanction" of the legislative authorities of the country, have not been long ago rebuked in an appropriate manner, so far from being now a proper subject for taunts by the Bank, ought naturally to excite its gratitude for profitable, though unmerited and dangerous indulgencies, so long enjoyed.

The third "correction" you desire is in the fear, expressed by this Department, that "those who utter or sell" these Checks, when counterfeited, "are likely to escape punishment, in consequence of questions which arise in prosecuting them under the said charter." The Department would feel gratified by your assurance, that this is "too gloomy an anticipation," if it had not some apprehension from the result of the inquiry thus far into the "minute details of facts" and opinions given by the Bank, that the Department would not be justified in always placing as much confidence in their "accuracy" as seems to be employed in expressing them, "owing doubtless" (as you say of the undersigned) "to the more important duties which have diverted your attention from a particular examination of the statements." The averment made that there is "no more difficulty in punishing those who counterfeit and those who pass, as true, those drafts, than those who counterfeit and pass, as true, notes of the Bank of the United States or of any other Bank," does not remove in the least degree the fear, that the persons who "sell or utter" those drafts "are likely to escape." Because the acts you are pleased to specify as punishable without "difficulty," are expressly prohibited and punished by the charter, while to "sell or utter" these drafts, is not expressly prohibited and punished. This it is supposed, arose from the reason, that Congress never anticipated that these drafts or small orders would be used as a currency, and therefore, they were never considered likely, after being counterfeited, to be sold or uttered to others for use as a currency. Nor does the anticipation become less "gloomy" from the circumstance that in the section of the charter, cited by you, it is made felony to counterfeit "a bill or note or any order or check on the said Bank or corporation, or any Cashier thereof."—Because any person who reads the charter with suitable attention, perceives at once, that all the prohibitions as to counterfeiting notes, are made equally applicable to checks, and drafts, except the last one as to selling, uttering, or delivering them and which last is expressly confined to bills or notes alone, entirely omitting what had before been introduced in other clauses or other points as to orders, checks or drafts.

In a subsequent part of your letter this is admitted to be true, and to avoid the necessary inference from it you ascribe it to accident or inadvertence, though it much more probably arose from the fact, that no one at that time ever thought of such checks being issued and used as a currency, which is the only use of them questioned in the circular. The Bank itself, you elsewhere remark, never made the "discovery" till nine or ten years afterwards that they could be so issued and used, and consequently no mischief in selling and uttering counterfeit checks for the purpose of being afterwards passed as a currency was then apprehended by Congress ever to be a probable occurrence, so as to require a provision for its punishment. Indeed, so repugnant were the feelings of a majority of even the friends of the Bank to the use of a paper currency to be signed like these drafts by Presidents and Cashiers of the branches, that they gave no such power in the original charter; they refused, though for many years afterwards importuned, to confer any such or similar power, and expressly prohibited, in the renewed charter, passed by both Houses of Congress in 1832, the issue of such small drafts as a currency. This Department must, therefore, notwithstanding your assurances, still be permitted to entertain the belief, that those who "sell or utter" these drafts, when counterfeit, were not in the chapter expressly made liable to punishment and hence "are likely to escape punishment in consequence of questions which arise in prosecuting them under the said charter;" and the more especially must it do this, when a case in the Supreme Court is cited by yourself, where a person so misbehaving, after a solemn hearing before that venerable tribunal, was not only considered by it as "likely to escape," but, according to your own account of the case, the "criminal" actually did escape.

In the fourth place you observe, "nor is the statement more fortunate that these drafts are not instruments, according to the decision of the Supreme Court, coming within the description of a note or bill." On this opinion, with "a dignified calmness," and a courtesy equally commendable with those before evinced, you observe, "the Supreme Court did not decide that, or any

thing like it." In proof of this very broad and positive denial, you proceed to state, that the "Supreme Court has never given any decision affecting in the least the power of the Bank to issue these drafts," and this irrelevant averment is substantially repeated several times, under this fourth objection. A little closer observation would have satisfied yourself, that no assertion was made by this Department, that the Supreme Court had given any decision whatever "on the power of the Bank to issue these drafts." The averment on that point, is one "exclusively your own"—the circular having merely stated, that, according to the decision of the Supreme Court, these drafts or checks did not come "within the description of a note or bill."

You take it for granted that Brewster's case, in the 7th volume of Peters, was the decision of the Supreme Court referred to in the circular. But when your views of that case are given in a subsequent analysis, you are then compelled to admit, that it "was carried to the Supreme Court and there it was decided, that the counterfeit paper was not in imitation of such a bill or note, issued by order of the President, Directors, and Company; it was an imitation of an order or check drawn on the parent Bank, and that it did not purport to be such a bill or note, as it was not so on its face—so that not purporting to be a bill or note, but of another description of paper, the strict construction of a penal statute prevailed, and the criminal escaped." This Department might safely agree with you, that "this is all the court decided," one point of which, however, was, according to your own words, that the instrument in that case, "was an imitation of an order or check, drawn on the parent Bank, and that it did not purport to be such a bill or note, as it was not so on its face." Hence, in the circular, it was innocently supposed and stated, that such a check could not come "within" the description of a bill or note—1st. because generally "it was not so on its face"—2d. because, to enter into detail, it was not signed by the President and Cashier of the mother Bank like a bill or note, but by the President and Cashier of a branch—3d. because it was not payable to bearer, originally, like a bill or note, but to order—and, 4th. because it was a mere draft on the parent Bank by others, instead of being, like a note, a promise of the parent Bank itself. Whether that decision, in the description of it given at length, even by yourself, when compared with the statement in the circular, is not substantially the same, "or any thing like it," as you so positively assert is now submitted to the deliberate reflection of others.

But if you will re-examine the case of Brewster, and notice that the marginal note of the Reporter says: "It was decided," that "a genuine instrument of which the forged and counterfeit instrument in an imitation, (having been a check,) is not a bill," &c., and that the counsel whom you quote, admitted "this is not such a bill," and that the court itself decided and caused to be certified, that "the genuine instrument of which said false," &c., "is the counterfeit," &c., "is not a bill," and will then advert to the words of the circular, "that these drafts are not instruments, according to the decision of the Supreme Court, coming within the description of a note or bill," and can then repeat your very confident and comprehensive denial, viz: the "Supreme Court did not decide that, or any thing like it," there can be but little doubt that, however the Bank may safely rely on its President for courteous correspondence, it ought hereafter to be considered as justified in resorting, upon all practical questions to other quarters for most of the legal advice it so liberally employs. If any thing further were necessary to be added in answer to this complaint against the "accuracy" of the circular in "minute details of facts," because it stated that a check was not a note "according to the decision of the Supreme Court," it will be found in the circumstance, mentioned by yourself as to the above case, "that the criminal escaped." The public can judge when he was indicted for selling and uttering a "counterfeited bill," and in evidence the "forged paper" proved to be a "check"—whether the criminal would probably have escaped, had a check come "within the description of a bill or note."

Your fifth objection is to the expression in the circular, that "the counterfeits of the said drafts have become very numerous and difficult of detection." On this point, it is highly satisfactory to learn from one, whose means of information are so ample on these subjects, that these drafts "have probably been less counterfeited than any other circulating paper in the United States."

But considering, that your statement on this point is comparative, this Department has no inclination or occasion. But from what has otherwise been communicated, and indeed from your own admission, as to the first drafts issued having been so much counterfeited that "the whole emission was immediately suppressed" and "new plates prepared," and that how many of these counterfeits are still abroad, you cannot know and do not presume to conjecture, this Department would still incline to the belief expressed in the circular, that "the counterfeits of these drafts have become numerous," or that, the facts communicated

by yourself as to the extent to which the first emission was counterfeited, are probably very erroneous,"—that the case of Brewster, which you cite is also probably "erroneous," as the counterfeit there appears on its face to have been made some months subsequent to the old emission and the procurement of the new plates, and that one reason assigned by yourself in a letter of March 22d, 1827, to Messrs. Webster and Binney for not having before issued these checks for small sums, viz: "the hazard of their being counterfeited," must have been somewhat "groundless"—if not "erroneous."

In reply to the latter clause on this point in the circular, that the counterfeits of these drafts are "difficult of detection," you assert, that they are "more easily detected" than notes; because in the "vicinities where they are issued, the signatures of the Presidents and Cashiers of the branches are probably more familiar than those of the more distant officers of the parent Bank." This rebuke of the Department contains a species of information which, though again comparative, if under an anticipation of its correctness, given to Congress from any quarter in 1818, and believed, would perhaps have removed one great objection, which then existed against allowing the Bank to issue small notes not signed by the President and Cashier of the mother Bank—if given even as late as 1832, after all your experience under both the "old" and "new plates," it would probably have prevented both houses from confining in the new charter the signature of notes to the officers of the principal Bank, when, according to your present impression, the counterfeits of such notes are not so easily detected as the drafts, signed by the officers of the branches. But unfortunately for the accuracy of your correction, Congress then and at all times when applied to on this subject, has entertained obstinately an impression similar to the belief expressed in the Circular, or has indulged on this point what you call elsewhere "a process of scepticism." Because these drafts circulate often at much greater distances from the vicinity where they were issued, than from the mother Bank, and it has been supposed that their signatures must, from that circumstance, be less known; and it seems never to have been before doubted that it is much more difficult to distinguish and become familiar with 40 or 50 different signatures of the Presidents and Cashiers of the branches who sign the drafts, than with two signatures of the President and Cashier of the mother Bank who sign the notes or bills. The same "process of scepticism," might also lead persons still further to hesitate and ask why the first emission of checks was so much more counterfeited than notes, if the forgeries of the former, as is now with so great confidence asserted, are "more easily detected?"—Under these circumstances, therefore, it is hoped the public will excuse this Department if still disposed to cherish an opinion, that the counterfeits of these drafts "are difficult of detection."

Your sixth complaint is the grievous one, that an allegation is made in the circular of "doubts having arisen as to the legal liability of the Bank to redeem the said drafts in specie under the penalty provided in the charter for the non-payment of its bills, notes, and obligations." The doubts expressed were not, as you seem in one place to suppose, that the Bank may be made liable, in some way, for the drafts thus issued by its branches—but whether that liability is such, that in default of prompt payment, "the penalty" of 12 per cent. can also be recovered of the corporation. That "penalty" is supposed to have been intended in the first clause of the 17th section, to apply chiefly, if not specially, to the non-payment of its "bills or notes," and in the 2d clause, by express terms, to the non-payment of "money received in deposit" by said Bank, or any of its offices. It is not customary to affix a "penalty" to the neglect by Banks to pay any other obligations than those expressed in the notes or bills issued by them as a currency, or at furthest to pay money on deposit. In that view the word "obligations" may be considered as having been intended to be synonymous with, "bills or notes." But if it was meant to possess a wider application, it probably was designed to include, besides bills and notes, all sealed instruments, such as are technically called "obligations," being such as the charter in a previous section, calls "any bill, obligatory or of credit, or rather obligation under its seal." There is no pretence that these checks are such "obligations." Even if the expression was meant to include every contract allowed to be made explicitly by the Bank, whether sealed or unsealed; it would then become necessary to ascertain whether the charter thus allowed, besides its bills or notes, any such contracts as these checks to be made by the branches on the parent Bank for a currency. The 11th section and 12th paragraph describe what obligations the Bank may legally incur. One kind is under seal, and then must not be less than \$5,000. It next provides that bills and notes for less than that sum, though not under seal, shall be binding if signed by the President and principal Cashier of the Bank, and whether running to order as bills of exchange, or bearer as bank notes.

It cannot be contended that the checks or drafts named in the

circular are "obligations" within the authority given in any part of that section, as they are not sealed nor signed by the President and Cashier of the Bank. But they are signed and issued by the President and Cashiers of the branches alone. Literally, then, these checks are rather checks on the Bank, than by the Bank; engagements by the branches and its officers, and not "bills, notes, or obligations" as the Bank and its officers, as described and contemplated in the charter. Hence, doubts exist, and, contrary to your impression, without any extravagant "process of scepticism," whether they were intended to be embraced in the clause imposing a penalty" on the Bank for refusing to pay specie on demand for its "notes, bills, or obligations," and for money on deposit. But at the same time, no doubts were expressed by the Department, and none are believed to be generally entertained, that being issued for a valuable consideration received, and under a direction from the mother Bank, though not in strict conformity to any provision in its charter, some mode may exist of recovering the amount of these drafts, if payment should be refused. But, whether "the penalty" in such case, could also be recovered, has, as stated in the circular, been doubted by many of those who have taken the trouble properly to examine the subject, and you need not have felt or expressed the least "incredulity" as to the existence of those doubts, since with all due deference to your judgment on legal questions, those doubts probably will continue to be entertained, notwithstanding the "wonder" exhibited in your letter. It is hoped, however, that if no higher principle shall produce such a result, that at least this "wonder" will prevent the Bank from resisting the payment of the penalty, as well as the whole amount of the drafts, should it ever become so unfortunate as to be prosecuted for not promptly paying specie on any of them.

The seventh and last complaint against the contents of the circular, as wanting proper "accuracy," is its declaration that the great extent to which the said drafts of small denominations have been put in circulation as currency "seems," to be directly repugnant to the spirit of the act in incorporating the Bank, and of the subsequent proceedings of Congress." Among other strictures, you observe, that this "seeming repugnance, has certainly "not been particularly obvious to the most distinguished jurists in the country," and that "assertion on either side adds but little to the argument." On examination, it will be seen that this Department made no positive assertion on this subject, but merely expressed an opinion, it is trusted with suitable modesty and caution, on the extensive circulation of those small drafts "a currency seeming to be repugnant." But it is believed it might with "accuracy," have been positively asserted, the existence of such a repugnance, as not a single clause in the charter has been quoted by the President of the Bank, or either of his "distinguished" advisers in their opinions, which authorizes such checks or drafts as these to be largely issued as a currency. It is further supposed that were no such clause exists but another one does exist pointing out how the bills and notes to be issued as a currency shall be made and signed, and those drafts are not so made and signed, and when still another clause exists authorizing branches to be established only as "offices of Deposit and Discount," and not for the issue of a paper circulation—and yet those offices by resolution of a committee of the parent Bank, February 23d, 1827, had instructions "to furnish them (drafts) to the customers of the Bank; to other persons who may wish to procure them" and thus were converted into offices, not only of "Deposit and Discount," but of manufacturing and sending forth nearly one-half of the whole paper currency of the Bank—the presumption appeared to be fair, natural, and legal, as expressed in the circular, that these drafts seem "as a currency, to be repugnant to the spirit of the charter." Though you assert, that this has certainly not been "particularly obvious to the most distinguished jurists in the country," yet it is submitted, under the above explanation, to be very obvious to the plain dictates of common sense, and in an especial manner, to have been "particularly obvious" to the Bank itself, for nine or ten years, while it was with constant effort and anxiety seeking permission to issue a currency somewhat similar, but could not discover anything in either the letter or spirit of the charter to justify the issue of such a currency, whether by its drafts or otherwise, and therefore resorted to Congress for an amendment.

So far from this "seeming repugnance," therefore, not having been "particularly obvious" either to yourself or to the "distinguished jurists" called to your aid—it would, on the contrary, but for your denial, have been supposed to be so "manifest" as to have constituted the chief cause why neither you nor they—until all other exertions in all other ways, for many years to obtain your desired facilities with the approbation of the legitimate legislative authorities, had failed—ventured to risk the adoption of so bold and indefensible a measure. This was then risked, though all the reasons at last assigned for it—the labor and difficulty of signing sufficient small notes by the officers of the

mother Bank, and the supposed want in some places of a greater amount of small currency, issued by the United States Bank, were as well known before, as then, and had been repeatedly urged by memorials and personal applications. But for that denial, it would manifestly be presumed that you all were fully convinced of the "seeming repugnance" as to request Congress for relief in 1818, in 1819, and so onward, yearly, to 1826, and, indeed, until you returned so disheartened from your unsuccessful" expedition to Washington, in 1827. About that time, and till then, the Banks assured this Department that the important discovery was at length made, that it already possessed the "means," or its equivalent, to obtain which it had been besieging the halls of legislation in vain, for a period almost equal to that of the most celebrated seige of antiquity. In your letter of the 1st of August of that year, this discovery was announced to the Treasury Department in these words, viz: "It fortunately happens that the Bank has at length obtained the means, which have never until now been possessed, of increasing the smaller circulation of the southern and western States, by drafts from the offices, which will furnish an ample supply of sound currency in those sections of the Union!"

How happened it? Had Congress amended the Charter, and did the Bank get this new power, or "means," from that quarter? So far from this, its President had just returned from Washington, after a series of "unsuccessful" efforts, in hopeless despondency. Whence, then, had it "obtained" those "means?" Why not before "possessed" of them, as well as then? The Legislature had refused to confer any new "means." The Bank, then, after despairing of getting these "means" by an act of Congress, seems to have proceeded, and "obtained" them by construction—"means" which, so far as the law allowed, had been "possessed" as much before as then, but the use of which, for that purpose, Congress had, in substance, refused to permit, and which use, without that permission, through an amendment, appears to have been long manifest to the Bank, if not to the imposing list of distinguished jurists whose names you cite, to be repugnant to the spirit of the charter." "The process" seems to have been, that, as the Bank and its Branches had always exercised a power to draw drafts on each other, for the ordinary purposes of drafts, it occurred to some one that this ordinary power might be used for a purpose which was never thought of by any other banking institution—a purpose so extraordinary that, in opposition to it, Congress had resisted the most persevering importunities. But certain distinguished jurists were then found, who, you exultingly declare, could "discover no legal objection" to the plan proposed; and hence arose this new power or "means" of creating a currency not before "possessed," but then "at length" fortunately "obtained." It was "obtained," not by any new grant from the Representatives of the States and People, whence all the just authority of the Bank was derived, but by the palpable perversion of an old power or practice to a new purpose; and although it was well known that the legislative authority, on a full exhibition and hearing of all the supposed reasons in favor of a similar measure, had long refused to sanction any similar purpose.

In regard to the "repugnance" of this course to the views and "proceedings of Congress," it was, as before noticed, made "manifest," even as late as 1832, when both Houses, in the bill for the new charter to the Bank, which was on other grounds returned by the President with his veto, expressly forbade the issue of these small drafts, as a currency, by providing "that from and after the third day of March, one thousand eight hundred and thirty-six, no branch draft or other bank paper, not payable at the place where issued, shall be put in circulation as currency by the Bank, or any of its offices, except notes of the denomination of fifty dollars, or some greater sum."

This Department indulges the hope, then, that it will not be deemed by others, as by the Bank, a "want of accuracy in regard to the minute details of facts so exceedingly desirable in public documents," to have stated in the circular that "the great extent to which the said drafts of small denominations have been put in circulation as a currency, seeming to be directly repugnant to the spirit of the charter, incorporating the Bank, and the subsequent proceedings of Congress." That this assumption by the Bank of undelegated power, or undelegated uses of an old power, in derogation of the spirit of the laws, and in direct hostility to the views and policy of Congress, has not before been arrested, is but another admonitory lesson against the danger of continuing a corporation with such ability and inclination to disregard the wishes and restraints of legislative authority. To conclude, sir, although this Department has not aspired to rival the Bank in that kind of elegance or dignity with which the allegations of the circular were controverted, yet it has endeavored so far to imitate the example set, as to give its views "without reserve." After multiplied and kind interpositions on the part of a mere fiscal agent to manage the affairs of the Treasury itself, without "its sanction or approval," and after so many

friendly admonitions as to want of "accuracy" in regard to minute details of fact in "public documents" (where such admonitions most needed can now be decided by others,) this Department has endeavored to make known some of the feelings inspired by the characteristic course of the Bank, has offered its explanations in reply to your numerous charges, and has thus "fulfilled the purpose of this letter."

With due consideration and respect, yours, &c.

LEVI WOODBURY,
Secretary of the Treasury.

N. BIDDLE, Esq.

President of the U. S. Bank, Philadelphia.

THE RAIL ROADS AND CANALS
OF PENNSYLVANIA.

Letter from a gentleman of Massachusetts, travelling West.

We left Philadelphia on the morning of the 6th of October, in a rail road car, and reached Columbia, on the Susquehanna at dusk—distance 82 miles. The car was drawn by horses, but on the 9th, as I was informed the second track was to have been completed, when a locomotive steam engine was to be substituted, and the distance would be run over in between 6 and 7 hours.

This rail road has been constructed by the state of Pennsylvania. The rails are laid on blocks of stone, and the whole of the work has been well executed. There are two inclined planes to overcome a height of nearly two hundred feet, at each terminus—the first to ascend from the vale of the Schuylkill, and the other to descend into that of the Susquehanna, at Columbia.

The Pennsylvania canal commences at Middletown, ten miles below Harrisburg, and extends up the valley of the Susquehanna to the junction of its Western and Northern branches, and from thence up the former to Bald Eagle, and up the latter to Northumberland; but there is still another, and the most important branch, which passes through the valley of the Juniata, to Hollidaysburg, on the eastern base of the Allegheny mountains, where it is connected with the Western section, which extends down the valleys of the Conemaugh, Kiskiminetas and Allegheny rivers to Pittsburg.

We took passage in a canal boat at Harrisburg, as the water was too low for navigation, in a portion of the canal, near Columbia. The boats are commodiously fitted up, and the 'living' is very good. On the way up we passed Greensburg, Newport, Millerstown, Mifflin, Lewistown, Newton, Waynesburgh, Hamilton, Jackstown, Alexandria, Williamsburg, and Frankstown. There are fifty-two locks, and several aqueducts between Harrisburg and Hollidaysburg. The scenery was constantly varying from the beautiful to the picturesque or sublime, as the canal winds between chains of mountains whose bases, for most of the distance form the bank of the canal on one side, and that of the Juniata river on the other, but there are occasionally intervals, or bottoms, sufficiently extensive for one or two farms. The mountains are wooded to their very summits, but almost exclusively with oak, walnut, hickory, chestnut, beech, maple, and other deciduous trees, as there was scarcely an evergreen to be seen, save now and then an isolated hemlock or pine on some lofty cliff. The upper regions of the Juniata are prolific in iron and bituminous coal, but Centre county affords the most abundant mines of ore.

The Allegheny mountains are passed by a rail road, thirty-six miles in length, in which there are ten inclined planes, a tunnel and a stupendous viaduct. At the upper end of each inclined plane is a stationary steam engine, by which the cars are drawn up and let down.

The following admeasurement of length and perpendicular heights of the inclined plane and intermediate levels, on which horses are used to draw the cars, were furnished by an assistant engineer, whom I met on the summit level. They commence on the West side of the mountain:

Level from Johnstown to inclined plane No. 1, four miles and two-thirds.

Inclined plane No. 1, is 1300 feet long and 150 high.

Level from Inclined plane No. 1 to No. 2, thirteen miles and a half.

Inclined plane, No. 2, is 1775 feet long and 134 in height.

Level from Inclined plane No. 2 to No. 3, one mile and a half.

Inclined plane No. 3, is 1585 feet long and 130 in height.

Level from Inclined plane No. 3 to No. 4, two miles.

Inclined plane No. 4 is 2138 feet long and 187 in height.

Level from Inclined plane No. 4 to No. 5 three miles.

Inclined plane No. 5 is 2620 $\frac{1}{2}$ feet long and 101 $\frac{1}{2}$ in height.

Level from Inclined plane No. 5 to No. 6 one mile and a half.

Inclined plane No. 6 is 2700 feet long and 266 $\frac{1}{2}$ in height.

Level from Inclined plane No. 6 to No. 7, is 800 feet.

Inclined plane No. 7 is 2642 feet long and 260 $\frac{1}{2}$ in height.

Level from Inclined plane No. 7 to No. 8 one mile and a quarter.

Inclined plane No. 8 is 3100 feet long and 307 $\frac{1}{2}$ in height. Level from Inclined plane No. 8 to No. 9 one mile and a quarter.

Inclined plane No. 9 is 2714 feet long and 187 $\frac{1}{2}$ in height. Level from Inclined plane No. 9 to No. 10 one mile and three quarters.

Inclined plane No. 10 is 2288 feet long and 180 $\frac{1}{2}$ in height. Level from Inclined plane No. 10 to the basin in Hollidaysburg four miles.

The whole ascent on the west side of the mountain, from Johnstown to the summit level, is 1173 feet, and on the eastern side, from Hollidaysburg, 1400. The top of the mountain, which is some two hundred feet higher than the culminating point of the rail road is 2700 feet above the Delaware river at Philadelphia.

The Tunnel commences at the top of Inclined plane No. 1, and extends nine hundred feet through a mountain, about two hundred feet below its summit. The excavation was made by blasting through solid rock, and consequently only required to be lined at each end, with arches, for about from 75 to 100 feet. The entrances are embellished by entablatures supported by Tuscan pilasters. They are of dressed sand stone.

The viaduct is supported by massive abutments and a gigantic arch, of eighty feet span and seventy feet in height. This vast structure is formed of hammered stone and constitutes a magnificent feature in the imposing scenery, which is exposed to the admiration of the traveller, as he passes the mountains.

A double track has been completed over the inclined planes, and the second, for the intermediate distance, is in such progress that it will be finished by the first of April next. All the rails are laid on blocks of stone, and in the new track are cross tiers of the same material, for each pair of rails.

The estimated cost of this rail road, including an additional stationary steam engine, at each of the inclined planes, is \$1,480,000.

The cars are now from nine to ten hours in crossing the mountains; but when the second track is completed, so as to prevent delays by the meeting of lumber cars, and a locomotive engine is used, instead of horses, on the long level of over thirteen miles between planes, Nos. 1 and 2, the transit will be made in about five hours.

The whole of this stupendous labor was projected, and has been prosecuted, by Sylvester Welsh, an engineer who has immortalized his name by a work not surpassed in grandeur and importance by any other in the world. He has most triumphantly surmounted the mighty barrier of the Allegheny, which appeared to present an insuperable difficulty in opening a facile line of communication between the Great West and the Ocean. He has thus raised a monument to the intelligence, enterprise, and public spirit of Pennsylvania, more honorable than the temples and pyramids of Egypt, or the triumphal arches and columns of Rome.

They were erected to commemorate the names of tyrants, or the battles of victorious chieftains, while these magnificent works are intended to subserve the interests of agriculture, manufacture and commerce—to encourage the arts of peace, to advance the prosperity and happiness of the whole people of the United States—to strengthen the bonds of the Union—induce a more universal and ardent patriotism—give stability to our political institutions—excite a veneration for the Constitution, and extend the glory of this vast Republic, throughout all nations and all time.

And what a cheering example has Mr. Welsh presented to the virtuous and enterprising young men of this country, in his commendable career. But fifteen years since he commenced his profession as an Axe-man, to clear the line of survey, for the routes of Canals, and Rail-roads, and from that humble station, he passed the grades of Chain-man, Target-bearer, and Assistant, to that of Chief Engineer, and now holds that highly important and very responsible situation with honor to himself and to the state, which has confided to his charge the construction of this grand highway over the American Simplon.

At Johnstown we again took passage in a Canal boat for Pittsburg. From the first named place to the junction of the Conemaugh and Kiskiminetas rivers, is forty-seven miles, from thence to the Allegheny ten miles, and from thence to Pittsburg, forty-six miles.

The mountains through which the Conemaugh winds its devious course, are filled with mines of iron, coal and salt. The springs of the latter are reached by boring, from seven to eight hundred feet; which is a labor of from twelve to eighteen months. This was formerly done by manual labor, but a steam engine is now used, as one is required to pump the water, and it is the first work erected in the establishment of salt works, which are numerous on both banks of the river; and located on the very margin.

The salt is made by evaporating the water in large wrought

iron pans; and the coal which is used as fuel is obtained within fifty or one hundred yards, as veins of excellent bituminous coal, from three to five feet thick extend through the mountains, in horizontal strata, on each side of the river, at a height of from forty to one hundred and fifty feet above the water. To obtain the coal, a gallery or tunnel is formed, as an entrance, the sides and top of which, is removed, columns of it are left, which are five or six feet in diameter, and from ten to fifteen feet apart, to support the roof, as the strata of stone is called, which covers that of the coal. The spaces left between the columns, the miners designate as "coal-rooms." The coal is transported in small hand carts to the mouth of the gallery, whose height is equal to that of the thickness of the strata of coal, and from five to eight feet wide; from thence it is sent down the side of the mountain, directly into the salt works, in little rude cars which run upon a cheap wooden rail-way. It costs to the consumer but two cents per bushel, or 72 cents per chaldron. In quality it is superior to the Orrel or New Castle coal imported into Boston.

The iron is formed into pigs and blooms, at the mines or near them, and in those forms sent to Pittsburg, and there the former are used for casting, and the latter are drawn out into bars, or other rough forms of wrought iron.

On the Western section of the Pennsylvania canal, there are three very expensive works—viz: a tunnel and two aqueducts; the latter are superb structures, supported by several arches, and the whole formed of hammered stone laid in Roman cement.

The tunnel passes through a mountain about a hundred feet below the summit. It is over a thousand feet in length, and was blasted through rock the whole distance; but as the formation was curious, for two-thirds of the extent, it became necessary to line that part of the tunnel, with an arch of dressed stone. At each end the entrances are ornamented by entablatures and pilasters, neatly wrought from a light colored sand-stone, which constitutes nearly the whole of the rock formation of the Allegheny mountains. On the Eastern side of the mountain, the tunnel is entered from a guard lock, and the boat passes out on the Western into one of the magnificent aqueducts above alluded to; then following the course of the canal, down the right bank of the river, the spectator on deck, by turning his eyes to the rear, has presented a beautiful view of the aqueduct, and the western entrance of the tunnel, the river and the mountains which slope to its shores, with their densely planted forest trees and shrubs, decked in the richly variegated tints of autumn.

The whole distance from Philadelphia to Pittsburg, by the routes we have passed, is three hundred and ninety-three miles; the first portion, over the rail-road to Columbia, being 82 miles, from thence to Hollidaysburg, on the Canal, 171 miles; the Allegheny rail 36 $\frac{1}{2}$, and from Johnstown, by the Canal to Pittsburg, 103 miles.

There is a Canal route from Philadelphia to Middletown, formed by the Schuylkill and Union Canals, and the whole trip to Pittsburg is performed in from twelve to fifteen days. The sum charged for a passage, is eight dollars; fifty cents per day for board, making the whole expense from fifteen to twenty dollars. The freight for goods is one dollar and a-half per hundred.

But a few years since, it required as long a time to go from Boston to the State of Ohio, as to make a voyage to Europe, and keel boats from New Orleans could not reach Louisville in less than from 90 to 100 days; but by the intervention of steamboats, the construction of canals and rail-roads, and the use of locomotives, the journey may be performed next summer, from Boston to St. Louis, a distance of over 1,900 miles, in 14 or 15 days, and at an expense of not more than \$50, and this too, without passing a single mile in stages on a common road.

COTTON! COTTON! COTTON!

Mobile, Dec. 16.—Such a rush of this article into this port so early in the season, has never before been known. Steamboats laden with Cotton from the interior, have been compelled lately to wait several days after their arrival, to find room to discharge their freight. The day before yesterday, we observed on one of the wharves, cotton bales piled up ten tiers high.—Mer. Adv.

WASHINGTON CITY,
January 1st, 1835.

Most of the foreign Ministers, although specially invited, did not attend the delivery of the eulogy upon the life and character of General Lafayette. A member of Congress, says, that the French and British Ministers, previous to the delivery of the Eulogy, inquired of Mr. Adams, by note, whether it would contain any thing which might be improper for them to hear. Mr. Adams, it is said, frankly replied, that if they did not wish to hear that which might be disagreeable to them, they would do well to remain at home. This hint was sufficient, and they accordingly refrained from attending.

NULLIFICATION NULLIFIED.

ADDRESS

Of the Minority of the Legislature of South Carolina to the People, explaining the reasons for accepting the Report of the Joint Committee on Federal Relations on the Amendment of the Constitutional Oath of Office.

TO THE PEOPLE OF SOUTH CAROLINA.

We, the minority of the Senate and House of Representatives, feel it a duty we owe to ourselves, to our constituents, and the country at large, to state the course we have pursued, during the present session of the Legislature in relation to the all-absorbing questions which have been before it, and the principles on which we have acted in accepting the terms of accommodation, which we hope and believe will restore harmony to our community.

When the Legislature had been in session a few days, the bill to amend the Constitution of the State, which in the last Legislature had been proposed by a constitutional majority, was pressed to a hasty reading with the understanding that two-thirds of the whole representation in both branches would pass it. At the same time a bill was introduced to define Treason, and notice was also given, that leave would be asked to bring in a bill to amend the Judiciary system of the State. These measures led to the conviction on our minds, that the majority were determined, not only to pass the amendment to the Constitution, requiring an Oath of Allegiance to the State, but to give it a construction, which we regarded as violating the Constitution of the United States; and to enforce that construction, without leaving us any of the ordinary peaceable means of resistance. When, therefore, the amendment was finally passed in our respective houses, we gave notice, that we should enter on the journals our solemn protest against it. But before it became necessary to do so, a report was made by the joint committee of both houses on Federal Relations, on sundry petitions and memorials of citizens from various parts of the State, against the new oath of office, in which it was distinctly declared by the said committee, that the allegiance required by the amendment, is that allegiance which every citizen of S. Carolina owes to the State consistently with the Constitution of the United States. When that report was taken up, it was adopted, in both Houses by large majorities of those who supported the amendment of the Constitution. This we regarded as an offer of reconciliation, and a pledge that the bills defining treason and to amend the Judiciary, were not intended to be passed; and to show our confidence that this was the course intended to be pursued by the majority, we immediately withdrew our notice of protest, and waited events. These have not disappointed our expectations. The bills to define treason, and to alter the judiciary, have not been pressed to a second reading, nor passed.

We have, therefore, decided for ourselves, and recommend you, to withdraw all objections to the new oath of office, now incorporated in the Constitution according to the forms of our government, by which, while we shall pledge ourselves "to be faithful and true allegiance bear to the State;" we shall also swear "to the best of our abilities to preserve, protect, and defend the Constitution of the United States."

It is, fellow citizens, under these circumstances, and with these views, that we have accepted the terms of accommodation in the same spirit of kindness, and with the same anxious desire to restore harmony to our distracted State, with which we believe they have been tendered. We ask not of the majority to surrender any opinions which they conscientiously held, nor on our part do we intend to surrender ours. We consider this effort at conciliation, thus happily successful, as we believe the majority regard it, to be the understanding between the two great political parties of the State, that the new Oath of Allegiance shall receive that construction which is consistent with the Constitution of the United States. For ourselves, we accept it, in the full confidence, that it means no more than that we will be faithful to the State in performing all her constitutional requisitions, and will bear her "true allegiance," to the full extent of all her reserved right and sovereign powers, and that this is not inconsistent with the obligations we owe, and the allegiance we bear to the United States, to the full extent of all the powers conferred by the Federal Constitution. And we do not deem it inconsistent with the good faith with which we have accepted this accommodation, and intent to maintain it, to declare, that while we were swearing to be faithful to the State, we intend "to support the Constitution and Laws of the United States," "made in pursuance thereof, as the supreme law of the land."

SENATORS.

James Chesnut,	From Kershaw.
Rasha Cannon,	" Darlington.
Bannister Stone,	" Greenville.
Henry Duran,	" Horry.
Joseph R. Ervin,	" Chesterfield.
James Koger, Jr.	" St. George, Dorchester.

Thomas Poole,	" Spartansburg.
R. D. Montgomery,	" Lancaster.
John P. Richardson,	" Clarendon.
Paul Weston,	" Christ Church.
David D. Wilson,	" Williamsburg.
John N. Davis,	" St. James', Goose creek.

REPRESENTATIVES.

Benjamin Massey,	} Lancaster District.
John Montgomery,	
W. J. Buford—Williamsburg District.	
John Crawford,	} Spartansburg District.
H. H. Thomson,	
Theron Earl,	
S. L. Westmoreland,	
Andrew Barry,	
J. W. Picket—Horry District.	
Wilcox Cobb,	} Greenville District.
Micajah Berry,	
John H. Harrison,	
M. M. Levy,	} Kershaw District.
Jos. Cunningham,	
E. Mayhew,	
David S. T. Dubose,	} Clarendon District.
William R. Burges,	
John L. Strodecker—St. James', Goose Creek.	
David Gavin—St. George, Dorchester.	
John Middleton,	} Chesterfield District.
P. Philips,	
John N. Williams,	
Robert Ervin,	} Darlington District.
William C. Beatty,	
James M. Love,	
Thomas Williams, Jr.	} York District.
Gordon Moore,	
J. M. Righton—Christ Church Parish.	

From the (London) Morning Chronicle.

We have to communicate the astounding intelligence, that Lord Melbourne's administration has ceased to exist. His Lordship repaired to the King on Thursday, and returned last night to announce to his colleagues the event. His Majesty, we learn, expressed no dissatisfaction with Lord Melbourne's administration; but he let it be understood, that he considered it at an end with the death of the late Earl Spencer, and the consequent removal of the present Earl to the House of Lords. The prosperity of the country and the dissensions among the Whigs and Reformers have, it would appear, inspired the Court party with the hope of being now able to make a stand against all further reform. They see that if Lord Melbourne's ministry were to remain in office, the *sinecure Church of Ireland would be pared down*, and that the glaring abuses in the *Church of England* would also be remedied. A short interval would, they think, deprive them of the aid they derive from these strongholds of corruption, and so they have fairly screwed up their courage to the staking-place. The interval between this and the meeting of Parliament will enable them to sound the members; and should they find them refractory, they will try, no doubt, what can be done by intimidation of the constituencies in the counties.

Never was a more grievous mistake committed. From this moment all the dissensions among reformers are at an end. The question is not now whether more or less ought to be demanded—whether the Lords should have a longer or shorter trial—whether we have hitherto proceeded too slowly with reforms, or satisfied the fair claims of the People, but whether we shall bend our necks under the yoke of the Conservatives. The question will no longer be, whether the Dissenters should be satisfied with less than the full amount of their demands at this time, but whether the proud High Churchman shall once more domineer over us, and laugh to scorn the endeavor to introduce reform into the Augean stable of the Irish *sinecure church*. The first fruits of the new administration will soon be felt in Ireland. God grant that Orange insolence, stimulated by success and certainty of impunity, may not indulge in excesses, by which Ireland may become the theatre of unspeakable calamity!

We are fully aware that the Conservatives, with the powers of Government in their hands, are not what they were with a Whig Ministry in office. But never were men more mistaken than they are, if they suppose that it is possible for them, under the Reform Bill, to succeed in their schemes. We are as certain as we are that we exist, that the Conservatives will be baffled in their endeavors. The people of England, Scotland, and Ireland, will not allow themselves to be deprived of the fruits of the Reform Bill. They look on that bill as a means to an end; and that end is the reform of all abuses in Church and State. No: the Oligarchy, though powerful at Court—though patronised by an illustrious female, who may wish that England should resemble a German State—shall not again manacle the people of this

country. We must all of us unite heart and hand to baffle the attempt to deprive us of the fruits of our triumphs. We overthrew the Oligarchy when we were without the great constitutional boon we now possess. The result of the struggle cannot be doubtful. We are quite aware that the Conservatives have been more anxious to register their votes than the Reformers, many of whom have reposed in the confidence of security. The struggle will teach us to improve the opportunity, when it is over. The intimidation will teach us the necessity of providing against it. Faults may have been committed by Whigs and Reformers in this respect. But let us not dwell on our family quarrels, when we have the enemy before us.

The Duke of Wellington has, we believe, been with the King; but what course will be held, we know not. It is probable that an attempt will be made to disunite the Whigs and the Reformers, by holding out terms to some of them to join a comprehensive Administration. But no administration which hesitates to carry through the work begun in Ireland, has any claim to the support of any Whig. No administration which hesitates to reform the Church of England, has any claim to the support of a Liberal. No administration which refuses to do justice to the Dissenters, can have any claim to the support of any Whig Statesman. But the Conservatives wish to be in power only to prevent these reforms, and they dare not concede them. And any member of Lord Melbourne's Ministry who joins the Conservatives, on vague promises of liberal measures, is a traitor, and should be accounted such. Let the friends of liberal measures only hold together, and they must be successful.

Englishmen must be up and doing. The enemy will not be idle. We will not say more at this time. When we next address our readers, the plans of our opponents will be better known.

OPIUM TRADE.

By occasionally visiting the Hercules, one of the receiving ships for opium, I was able to observe, through the kindness of Mr. Parry, her chief officer, how this extensive and lucrative business is conducted. The sales are effected in Canton by the European merchants, and orders sent down with the smuggling boats for the delivery of the opium from the different ships; the boats engaged in this occupation are armed with spears, shields, and even fire-arms, to repel any attack that may be made upon them by the Mandarin guard-boats. They are also manned by a very brave athletic crew; indeed, Chinese fight very well one against the other, but cannot bring forward sufficient courage to face Europeans, except the advantages are overpowering on their side. These boats are provided with sails, in addition to a number of oars and rowers, and they pass through the water with inconceivable rapidity. The Mandarin boats, having a weaker and less choice crew, can seldom or ever overtake them; this, however, may in part be explained from the fact of the guard-boats, (the revenue cutters) sent by the Chinese Government to cruise against smugglers, coming along side for a supply of the prohibited drug, to smuggle it themselves into the heart of the Chinese empire. Any thing can be done by bribery in this country, and these boats are often employed for smuggling cassia, treasure, &c., on board European ships at Lintin, &c.; indeed, every smuggling boat that takes opium from an opium ship leaves a payment of one dollar on each chest for the Mandarins, and on the opium returns being made up, the sum is regularly paid to them; each boat leaves also a kum-shaw, or present sent for the ship, of five dollars.

The chests of the drug are opened on board; the balls or cakes are taken out, and immediately deposited in small mat bags, brought by them for the purpose, and sown up; being in that way more convenient to smuggle than in large heavy chests. There are three kinds of opium usually sold in the English ships, the Malwa, Benares, and Patna; a fourth, the Turkey opium is confined to the American and other foreign vessels. The Patna opium is in balls, packed in partitioned cases, each chest containing forty balls. Old opium fetches a higher price than new, the former being solid, the latter soft and more liable to run. The old chests, so termed, are usually two years old when they come under that denomination. The Malwa opium is in rather flattened cakes. The prices of this drug of course fluctuate very much; the consumption in the Chinese empire must be enormous, and is entirely (not the least extraordinary part of the affair) carried on by an illicit trade. The payments are usually made, if to any extent, in Sycee silver, which is taken by weight, no silver, coinage being acknowledged by the Chinese government. The Chinese purchasers of the opium refine it by boiling, previous to using it for smoking; they use it also in the form of tincture, usually carrying a small bottle containing it about them. The present Emperor of China has been described as being totally incapacitated from any business, through the excesses to which he has carried the debilitating practice of opium smoking.—*Bennet's Wanderings*.